

CONSOLIDATION OF FOREST LANDS IN CARSON  
NATIONAL FOREST, N. MEX.

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JANUARY 26, 1921.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

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Mr. HERNANDEZ, from the Committee on the Public Lands, submitted the following

REPORT.

[To accompany H. R. 14669.]

The Committee on the Public Lands, to whom was referred the bill (H. R. 14669) for the consolidation of forest lands in the Carson National Forest, N. Mex., and for other purposes, having considered the same, report favorably thereon with the recommendation that the bill pass with the following amendments:

1. Page 1, line 10, after the word "the," insert the word "said."
2. Page 1, line 11, strike out the words "forests of New Mexico" and insert in lieu thereof the word "forest."
3. Page 1, lines 12 and 13, and page 2, lines 1 and 2, strike out the words "in determining the relative values of the lands or timber to be exchanged, consideration shall be given to any reservations which either party may make for timber, minerals, or easements" and insert in lieu thereof the words "the Secretary of the Interior."
4. Page 2, line 3, after the word "given," insert the words "and the timber on lands given."
5. Page 2, lines 4 and 5, change the word "na-ital" to "national."

The bill authorizes the Secretary of the Interior to exchange national forest lands or timber within the Carson National Forest of New Mexico for privately owned lands within the Carson National Forest in that State if, in the opinion of the Secretary of Agriculture, the lands received in such exchange are chiefly valuable for national forest purposes and the public interests will be benefited thereby. Timber given in such exchange shall be cut and removed under the laws and regulations relating to the national forests and under the direction and supervision of the Secretary of Agriculture. The lands conveyed to the United States under the act shall become a part of the Carson National Forest. The department fixes the values both of the private lands exchanged and the forest lands or timber given in exchange, and therefore the Government interests are absolutely protected. The bill was referred to the Secretary of the Interior and the Secretary of Agriculture, who reported thereon as follows.

DEPARTMENT OF THE INTERIOR,  
Washington, December 27, 1920.

Hon. N. J. SINNOTT,

*Chairman Committee on the Public Lands, House of Representatives.*

MY DEAR MR. SINNOTT: This department is in receipt, by reference from the Committee on the Public Lands, of House bill 14669 (66th Cong., 3d sess.) entitled "A bill for the consolidation of forest lands in the Carson National Forest, New Mexico, and for other purposes," such bill having been referred here for report.

In reply I have to advise you that a number of bills of the same import have been enacted in the past and that Senate bill 2219 and House bill 9589 now pending provides generally for the exchange of forest lands. This department can see no objections to the passage of the bill under consideration if deemed advisable, except as to the provision (lines 12 and 13, page 1, and lines 1 and 2, page 2) that "in determining the relative values of the lands or timber to be exchanged, consideration shall be given to any reservations which either party may make of timber, minerals, or easements."

It is not believed such a provision is necessary for a fair and just appraisal of the value of the tracts or timber to be exchanged while on the other hand it will be a constant source of trouble in the future. If consideration in the appraisal of the values is to be given reservations it necessarily follows that such reservations may be made by a person in conveying the land to be exchanged to the United States. The purpose of the exchange is to enable the Government to secure full control of the land to be conveyed and to accept title so encumbered with reservations, rights, and privileges, as to destroy such purpose would be unwise.

While I do not believe the proposed legislation necessary in view of the pending bills (S. 2219 and H. R. 9589), no objection except as heretofore expressed would be interposed.

In expressing this view the fact that the Senate and House bills referred to confine the exchange of lands in the same forest, while the bill under discussion permits the exchange of land in one reserve for land in another, has not been overlooked.

Attention is invited to the typographical errors in the spelling of the words "easements," line 2, page 2, and "National," lines 4 and 5, page 2.

A bill, No. 4558, similar in its term is now pending before the Senate.

As the subject matter of the proposed legislation is of great importance to the Department of Agriculture, it is respectfully suggested that the bill be referred to that department for an expression of their view on the subject.

Cordially, yours,

ALEXANDER T. VOGELSANG,  
*Acting Secretary.*

DECEMBER 16, 1920.

Hon. N. J. SINNOTT,

*Chairman Committee on the Public Lands,  
House of Representatives.*

DEAR MR. SINNOTT: Receipt is acknowledged of your request for report upon the bill (H. R. 14669) for the consolidation of forest lands in the Carson National Forest, N. Mex., and for other purposes.

The measure proposes that the Secretary of the Interior be authorized to accept title to any lands in private ownership within the Carson National Forest, N. Mex., if, in the opinion of the Secretary of Agriculture, the public interests will be benefited thereby and the lands are chiefly valuable for national forest purposes. In exchange therefor he may give not to exceed equal value of such national forest lands or timber within the national forests of New Mexico as may be determined by the Secretary of Agriculture. Provision is made, also, for the reservation by either party of timber, minerals, or easements. Timber given in such exchanges shall be cut under the direction and supervision of the Secretary of Agriculture, and lands conveyed to the Government under the act shall become a part of the Carson National Forest.

This measure follows the general form of a number of bills of similar character which have been introduced in the House and in the Senate, applicable to certain named national forests; also you will recall that there is a general measure to give authority for exchanges within any national forests. Hearings were held by your committee upon this general measure at which representatives of this department testified showing the benefits to the Government to be accomplished by such legislation. Since this bill embodies principles which it is believed will amply protect the public interests and proposes a plan of meeting obstacles encountered in the administration of the national forest lands, it is recommended that it receive favorable consideration by your committee.

Very truly, yours,

E. T. MEREDITH, *Secretary.*